

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-17-171/182
KS-AG-R-17-019
KS-Q-17-108/118
KS-PT-17-011

Beginning Date: September 7, 2017
Comments Due: October 7, 2017

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-17-171/172

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant

Dwight Busenitz
South Springs, LLC
6698 NW Indianola Road
Whitewater, KS 67154

Owner of Property Where Facility Will Be Located

South Springs LLC
13340 NW 40th Road
Benton, KS 67017

Legal Description

SE/4 of Section 10
T25S, R03E
Butler County

Receiving Water

Walnut River Basin

Kansas Permit No.: A-WABU-H002

Federal Permit No.: KS0090611

This is an application for a re-issued permit for 8,520 head (3,408 animal units) of swine weighing greater than 55 pounds and 2,880 head (288 animal units) of swine weighing 55 pounds or less. The head count has not been changed from the previous permit. Modifications include construction of a compacted clay pad for mortality composting. This is notification KDHE has received a complete permit application. The complete application can be viewed at the office of

the Butler County Clerk, the KDHE South Central District Office in Wichita, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Daniel & Jennifer Gerety
604 Nemaha Street
P.O. Box 170
Seneca, KS 66538

J-Six Enterprises
Summit Producers Company
292 Quivira Road
Marquette, KS 67464

SE/4 of Section 09
T18S, R05W
McPherson County

Smoky Hill River Basin

Kansas Permit No.: A-SHMP-H001

Federal Permit No.: KS0086291

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 7,078 head (2,831.2 animal units) of swine weighing more than 55 pounds and 8,720 head (872 animal units) of swine weighing less than 55 pounds; for a total of 3,703.2 animal units of swine. The complete application can be viewed at the office of the McPherson County Clerk, the KDHE North Central District Office in Salina, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Public Notice No. KS-AG-17-173/182

Pending Permits for Confined Feeding Facilities

Name And Address of Applicant

Dwight Busenitz
South Springs, LLC
6698 NW Indianola Road
Whitewater, KS 67154

Legal Description

SE/4 of Section 10
T25S, R03E
Butler County

Receiving Water

Walnut River Basin

Kansas Permit No.: A-WABU-H002

Federal Permit No.: KS0090611

This is a re-issued permit for an existing facility for 8,520 head (3,408 animal units) of swine weighing greater than 55 pounds and 2,880 head (288 animal units) of swine weighing 55 pounds or less. There is no change in the permitted animal units. Facility modifications include a compacted earthen pad for mortality composting. This facility has an approved Nutrient Management Plan on file with KDHE.

Daniel & Jennifer Gerety
Summit Producers Company
604 Nemaha Street
P.O. Box 170
Seneca, KS 66538

SE/4 of Section 09
T18S, R05W
McPherson County

Smoky Hill River Basin

Kansas Permit No.: A-SHMP-H001

Federal Permit No.: KS0086291

This is a permit modification and re-issuance for an existing facility for 7,078 head (2,831.2 animal units)

of swine weighing greater than 55 pounds and 8,720 head (872 animal units) of swine weighing 55 pounds or less, for a total of 3,703.2 animal units of swine. The confinement system facility consists of 12 enclosed swine buildings (19 units), two earthen sediment basins, an earthen retention control structure, a covered mortality composting structure, and extraneous area. Proposed modifications include additions to two existing buildings. No additional animals or animal units are proposed for the facility modification. This facility has an approved Nutrient Management Plan on file with KDHE.

Roy N. Brown
Cattle Empire, LLC #2
1174 Empire Circle
Satanta, KS 67870

All of Section 25 &
NE/4 of Section 36
T28S, R34W
Haskell County

Cimarron River Basin

Kansas Permit No.: A-CIHS-C007

Federal Permit No.: KS0088391

This is a permit modification and re-issuance for an existing facility with a maximum capacity of 87,000 head (87,000 animal units) of beef cattle weighing greater than 700 pounds. The facility consists of approximately 449.7 acres of open lot pens and associated feedlot areas. The waste management system includes drainage channels, five sediment basins, and five earthen retention control structures. The facility is proposing to construct an additional earthen wastewater retention structure. This facility has an approved Nutrient Management Plan on file with KDHE.

Mark D. Fischer
Coake Farms Feeders, LLC
P.O. Box 507
Dodge City, KS 67801

SW/4 of Section 28 &
N/2 of Section 33
T26S, R24W
Ford County

Upper Arkansas
River Basin

Kansas Permit No.: A-UAFO-C003

Federal Permit No.: KS0115398

This is a renewal permit for an existing facility for 2,000 head (2,000 animal units) of cattle weighing more than 700 pounds and 4,000 head (2,000 animal units) of cattle weighing less than 700 pounds; for a total of 4,000 animal units of cattle. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Gary Crome
Crome Truck Line, Inc.
195 Granite Road
Bremen, KS 66412

NW/4 of Section 08
T02S, R06E
Marshall County

Big Blue River Basin

Kansas Permit No.: A-BBMS-T001

This permit is being reissued for an existing facility for a commercial livestock transport truck washing facility with 0 head (0 animal units). There is no change in the permitted animal units from the previous permit cycle.

Lester Trentman
Trentman Feedlot

SE/4 of Section 27
T02S, R15E

Missouri River Basin

P.O. Box 2018
Fairview, KS 66425

Brown County

Kansas Permit No.: A-MOBR-B001

This permit is being reissued for an existing facility with a maximum capacity of 240 head (240 animal units) of cattle more than 700 pounds and 584 head (292 animal units) of cattle 700 pounds or less, for a total of 532 animal units of cattle. This represents a decrease in animal units from the previous permit cycle.

Donald L. Hazlett
D&L Partnership
P.O. Box 947
Colby, KS 67701

SW/4 of Section 05
T05S, R23W
Norton County

Solomon River Basin

Kansas Permit No.: A-SONT-B007

This permit is being reissued for an existing facility with a maximum capacity of 999 head (999 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit cycle.

Jennifer A. Gerety
J-Six Farms – Ouellette Site
604 Nemaha Street
P.O. Box 170
Seneca, KS 66538

SE/4 of Section 04
T05S, R04E
Washington County

Big Blue River Basin

Kansas Permit No.: A-BBWS-S060

This permit is being reissued for an existing facility with a maximum capacity of 2,490 head (996 animal units) of swine more than 55 pounds. There is no change to the permitted animal units from the previous permit cycle.

Todd Bottorff
Bottorff Turkeys
8855 SE Wyandotte Road
Galena, KS 66739

NE/4 of Section 33
T33S, R24E
Cherokee County

Neosho River Basin

Kansas Permit No.: A-NECK-F027

This permit is being reissued for an existing facility with a maximum capacity of 54,000 head (972 animal units) of turkeys. This represents an increase of 52 animal units from the previous permit.

Stefan Busenitz
17093 NW Shumway Road
Burns, KS 66840

SE/4 of Section 02
T23S, R04E
Butler County

Walnut River Basin

Kansas Permit No.: A-WABU-S042

This permit is being reissued for an existing facility with a maximum capacity of 525 head (210 animal units) of swine more than 55 pounds and 800 head (80 animal units) of swine 55 pounds or less, for a total of 290 animal units of swine. There is no change in the permitted animal units from the previous permit cycle.

Public Notice No. KS-AG-R-17-019

Per Kansas Statutes Annotated 65-171d, the following Registration(s) have been received for proposed confined feeding facilities:

| <u>Name And Address of Registrant</u> | <u>Legal Description</u> | <u>County</u> |
|--|---|----------------------|
| N. Terry Nelson Stillwater Swine 1304 W. Fox Road Long Island, KS 67647 | NW/4 & SW/4 of Section 12 T02S, R21W | Norton |

Public Notice No.: KS-Q-17-108/117

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

| <u>NAME AND ADDRESS OF APPLICANT</u> | <u>RECEIVING STREAM</u> | <u>TYPE OF DISCHARGE</u> |
|---|--------------------------------|---------------------------------|
| Buhler, City of PO Box 187 Buhler, KS 67522 | Little Arkansas River | Treated Domestic Wastewater |

Kansas Permit No. M-LA01-OO01 Federal Permit No. KS0027533
Legal Description: NW¼, SE¼, NW¼, S21, T22S, R4W

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, chlorides, selenium, arsenic and flow.

| | | |
|---|------------------------------------|--------------------------------|
| Claflin, City of PO Box 383 Claflin, KS 67525 | Cow Creek via Unnamed Tributary | Treated Domestic Wastewater |
|---|------------------------------------|--------------------------------|

Kansas Permit No. M-AR21-OO01 Federal Permit No. KS0026441
Legal Description: NW¼, SE¼, SW¼, Section 33, Township 17S, Range 11W, Barton County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, arsenic, chlorides, and flow.

Ellinwood, City of
PO Box 278
Ellinwood, KS 67526

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR32-OO02

Federal Permit No. KS0090999

Legal Description: NE¼, SE¼, S6, T20S, R11W, Barton County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, selenium, sulfates and flow. Contained in the permit is a schedule of compliance requiring the permittee to submit an engineering report and recommendations by October 1, 2018.

Halstead, City of
PO Box 312
Halstead, KS 67056

Little Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-LA06-OO01

Federal Permit No. KS0026263

Legal Description: NW¼, NE¼, SW¼, S1, T24S, R2W, Harvey County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable arsenic and selenium, chloride, and flow.

Haven, City of
PO Box 356
Haven, KS 67543

Gar Creek

Treated Domestic
Wastewater

Kansas Permit No. M-AR41-OO01

Federal Permit No. KS0116815

Legal Description: E½, SW¼, S4, T25S, R4W, Reno County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, chlorides, nitrate, and pH. Contained in the permit is a schedule of compliance requiring the permittee to submit notification of consistent compliance by March 2019. If facility is not able to consistently meet limits an engineering report and upgrade evaluation must be submitted by September 2019.

Haysville, City of
PO Box 404
Haysville, KS 67060

Cowskin Creek

Treated Domestic
Wastewater

Kansas Permit No. M-AR43-OO04

Federal Permit No. KS0090921

Legal Description: SW¼, SW¼, NE¼, & SE¼, SE¼, NW¼, S5, T29S, R1E, Sedgwick County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed

permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, whole effluent toxicity, and pH, as well as monitoring for total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, priority pollutants, flow.

Kingman, City of
PO Box 168
Kingman, KS 67068

South Fork
Ninnescah River

Treated Domestic
Wastewater

Kansas Permit No. M-AR52-OO02

Federal Permit No. KS0095982

Legal Description: S½, NE¼, S5, T28S, R7W, Kingman County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, E. coli, as well as monitoring for total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, chlorides and flow.

Maize, City of
PO Box 245
Maize, KS 67101

Big Slough Creek
Lower Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR58-OO02

Federal Permit No. KS0092258

Legal Description: SW ¼, SW ¼, SW ¼, S17, T26S, Range 1W, Sedgwick County, KS

The proposed action is to reissue an existing state/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for total phosphorous, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and flow.

Pratt, City of
PO Box 807
Pratt, KS 67124

South Fork
Lower Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-AR73-OO01

Federal Permit No. KS0049751

Legal Description: SW¼, SW¼, NW¼, N½, NW¼, SW¼, S2, T28S, R13W, Pratt County, KS

The proposed action is to reissue an existing state/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, and E. coli, as well as monitoring for total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, chlorides, and flow.

Sedgwick, City of
PO Box 131
Sedgwick, KS 67135

Sand Creek
Little Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-LA15-OO02

Federal Permit No. KS0081108

Legal Description: SE ¼, SW ¼, SW ¼, S27, T24S, Range 1W, Harvey County, KS

The proposed action is to reissue an existing state/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, and pH, as well as monitoring for dissolved oxygen, total phosphorous, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and flow.

Valley Center, City of
PO Box 188
Valley Center, KS 67147

Little Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-LA16-OO02

Federal Permit No. KS0099074

Legal Description: SW ¼, SW ¼, SE ¼, S36, T25S, Range 1W, Sedgwick County, KS

The proposed action is to reissue an existing state/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, and E. coli, as well as monitoring for total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, total recoverable mercury, and flow.

Public Notice No.: KS-PT-17-009/010

The requirements of the draft permits public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

| <u>NAME AND ADDRESS OF APPLICANT</u> | <u>RECEIVING FACILITY</u> | <u>TYPE OF DISCHARGE</u> |
|---|---------------------------|--------------------------|
| Timken SMO LLC 2601 W. Battlefield Road Springfield, MO 65807 | Fort Scott WWTP | Process Wastewater |

Kansas Permit No. P-MC11-OO03

Federal Tracking Number: KSP000115

Facility Name: Tmken SMO LLC

Facility Location: 4504 Campbell Drive, Fort Scott, KS 66701

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility manufactures natural and synthetic rubber transmission belts. No rubber blending or mixing occurs on-site and no lead-sheathed hoses are produced. Wastewater from the rubber processing operations are discharged from four Outfalls on a batch basis. The proposed permit contains limits for oil & grease, as well as monitoring of lead and flow.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **October 7, 2017**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-17-171/182, KS-AG-R-17-019, KS-Q-17-108/118, KS-PT-17-011) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application.

If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.